

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

STATE OF MISSOURI ET AL

CASE NO. 3:22-CV-01213

VERSUS

JUDGE TERRY A. DOUGHTY

JOSEPH R BIDEN JR ET AL

MAG. JUDGE KAYLA D. MCCLUSKY

NOTICE OF MOTION SETTING WITHOUT DATE

The Motion to Dismiss for Lack of Jurisdiction, Motion to Dismiss for Failure to State a Claim (Document No. 35) filed by Xavier Becerra, Joseph R Biden, Jr, Cybersecurity & Infrastructure Security Agency, Centers for Disease Control & Prevention, Jen Easterly, Anthony Fauci, Dept of Health & Human Services, Dept of Homeland Security, Nina Jankowicz, Alejandro Mayorkas, Vivek H Murthy, National Institute of Allergy & Infectious Diseases, Jennifer Rene Psaki on July 12, 2022 has been referred to Honorable Kayla D. McClusky.

Deadlines

Any response to said motion is due by August 3, 2022. The movant may file a reply, without leave of court, within seven (7) **days** after the response is filed. LR7.8 governs the length of briefs. Any party filing no brief will be deemed not to oppose the motion. At the close of the briefing period, the record will be submitted to the Magistrate Judge for consideration; a written ruling or recommendation will issue in due course.

No Oral Argument

It is the policy of the Court to decide motions on the basis of the record **WITHOUT ORAL ARGUMENT.** Accordingly, responses and briefs should fully address all pertinent issues. Should the Court feel oral argument is necessary, all parties will be notified.

Courtesy Copies

An electronic copy of the motion and all memoranda only (no attachments) shall be e-mailed in WordPerfect or Word Format **DIRECTLY** to:

mcclusky_motions@lawd.uscourts.gov

If attachments to the motion or response exceed 15 pages, paper copies of the attachments shall be provided to chambers:

Hon. Kayla D. McClusky
United States Magistrate Judge
201 Jackson Street, Suite 307
Monroe, Louisiana 71201

ALL DEADLINES SET FORTH IN THE SCHEDULING ORDER SHALL REMAIN IN PLACE UNLESS OTHERWISE ORDERED BY THIS COURT.

If the parties resolve any matters raised in this motion, the moving party should immediately notify chambers at (318) 654-6510.

DATE OF NOTICE: July 13, 2022

TONY R. MOORE
CLERK OF COURT